IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA

CWP No. 1144 of 2005
Date of decision: 29.6.2007

Union of India & others		Petitioners
	Versus	
Hari Chand & others		Respondents

Coram:

The Hon'ble Mr Justice Deepak Gupta, ACJ.

The Hon'ble Mr.Justice Surinder Singh, J.

Whether approved for reporting ?[1]

For the Petitioner: **Mr Janesh Mahajan, Central Government Counsel.**

For respondents **: Mr Ramakant Sharma, Advocate.**

Deepak Gupta, ACJ (Oral)

The present writ petition is directed against the order dated 7.7.2005 passed by the learned Central Administrative Tribunal, Chandigarh Bench, in OA No.929/HP/2004. The respondents pray that they may be granted the benefit of revised pay scale of Rs.950-1500, on the ground that the said benefit has been extended to the similarly situate persons, who are working as Valvemen.

2. The learned Tribunal, relying upon earlier orders passed by the same Bench and other Benches of the Tribunal, directed the present

[1] ***Whether the reporters of Local Papers may be allowed to see the judgment ?***

petitioners to examine the case of the respondents and to pass appropriate detailed order, as per law, for payment of arrears of revised pay scale. It is admitted case of the parties that one of the earlier orders, relied upon by the learned Tribunal, had been challenged in S.L.P. filed before the Apex Court.

3. The petitioners have placed on record, a copy of the order of the Apex Court, passed in Civil Appeal No.5825 of 2000 dated October 6, 2005, whereby the Apex Court has remitted the matter to the High Court for final consideration. The Apex Court further ordered that the High Court will consider which of the various judgments cited applies to the facts of the case and take decision in accordance with law.

4. Following the judgment of the Apex Court, we set aside the order of the learned Tribunal and remit the matter to it and direct it to dispose of the matter in terms of the judgment of the Apex Court in Civil Appeal No.5825 of 2000, as early as possible and in any event not later than 28th February, 2008. The respondents shall place the copy of this order before the learned Tribunal

along with an appropriate application. The writ petition stands disposed of in the above terms.

CMP No.2166 of 2005.

Interim order dated 28.11.2005 stands vacated. The application is disposed of.

(Deepak Gupta), ACJ.

June 29,2007 (Surinder Singh),J.
(D)